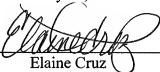


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)	
Emily Eng et al.)	
)	Confirmation No.: 7439
Serial No.: 10/777,979)	
)	
Filed: February 12, 2004)	Examiner: Iqbal, Nadeem
)	
For: Technique for Increasing the Number)	
of Persistent Consistency Point Im-)	Art Unit: 2114
ages in a File System)	
		Cesari and McKenna, LLP
		88 Black Falcon Avenue
		Boston, MA 02210
		July 25, 2007

CERTIFICATE OF EFS WEB TRANSMISSION

I hereby certify that the following Issue-Fee Transmittal is being EFS WEB transmitted to the Patent and Trademark Office on July 25, 2007.


Elaine Cruz

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ISSUE-FEE TRANSMITTAL

In response to the Notice of Allowance and Issue Fee Due mailed June 29, 2007, for the above-identified application, enclosed is Issue Fee Transmittal Form PTOL-85b and Change of Fee Correspondence Address.

The large entity issue fee payment of \$1400 is being paid herewith via Deposit Account No. 03-1237, with the EFS WEB filing of this submission. Please charge any additional fee occasioned by this paper to the aforementioned Deposit Account.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Duane H. Dreger", is written over a horizontal line.

Duane H. Dreger
Reg. No. 48,836
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSU... FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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24267 7590 06/29/2007

CESARI AND MCKENNA, LLP
 88 BLACK FALCON AVENUE
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Certificate of Mailing or Transmission EFS WEB

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSU... FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Elaine Cruz (Depositor's name)
 Elaine Cruz (Signature)
 July 25, 2007 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,979 02/12/2004 Emily Eng 112056-0180 7439

TITLE OF INVENTION: TECHNIQUE FOR INCREASING THE NUMBER OF PERSISTENT CONSISTENCY POINT IMAGES IN A FILE SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	\$1400	10/01/2007
EXAMINER	ART UNIT	CLASS-SUBCLASS				
IQBAL, NADEEM	2114	714-006000				

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363)

2. For printing on the patent front page, list

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

Cesari and McKenna, LLP

(2) the name of a single firm (having as a member a registered patent attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Network Appliance, Inc.

Sunnyvale, California

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 03-1237 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Duane H. Dreger

Date July 25, 2007

Typed or printed name Duane H. Dreger

Registration No. 48,836

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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